

XAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with attorney Mr. Abe Rosner on May 27, 2010.

The application has been further amended as follows:

In claim 1, lines 1-2, delete "capacitor, comprising a niobium layer not containing silicon nitride" and insert – capacitor comprising niobium primary particles, said particles having a center part and a surface, said particles comprising niobium, not containing silicon nitride present at least in the center part--.

In claims 10, line 2, delete "capacitor, said niobium powder comprising a niobium layer not containing silicon nitride" and insert – capacitor comprising niobium primary particles, said particles having a center part and a surface, said particles comprising niobium, not containing silicon nitride present at least in the center part--.

In claim 22, lines 1-2, delete "capacitor, comprising a niobium layer not containing silicon nitride" and insert –capacitor having a porous structure, said granulated powder comprising niobium not containing silicon nitride present at least in a portion other than an outer surface—and in line 3, replace "the in-pore" with --an in-pore--.

In claim 31, lines 1-2 delete "capacitor, comprising a niobium layer not containing silicon nitride" and insert –capacitor having a porous structure, comprising niobium not containing

silicon nitride present at least in a portion other than an outer surface of the sintered body—and in line 3, replace "the in-pore" with --an in-pore--.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NGOCLAN T. MAI whose telephone number is (571)272-1246. The examiner can normally be reached on 8:30-5:00 PM Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Roy King can be reached on (571) 272-1244. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/ Roy King/
Supervisory Patent Examiner, Art Unit
1793

n.m.